

9. Certifications

General Certifications

In accordance with the applicable statutes and regulations governing the Housing and Community Development Plan regulations, the District of Columbia Government hereby makes the following certifications:

Affirmatively Furthering Fair Housing - The District hereby certifies that it will affirmatively further fair housing.

Anti-Displacement and Relocation Plan - The District of Columbia Government hereby certifies that it has in effect and is following a residential anti-displacement and relocation assistance plan that, in the case of any such displacement in connection with any activity assisted with funds provided the CDBG or HOME programs, requires the same actions and provides the same rights as required and provided under Section 104(d) of the Housing and Community Development Act of 1974 in the event of displacement in connection with a development project assisted under Section 106 or 119 of such Act.

Drug Free Workplace - The District of Columbia Government will provide a drug-free workplace by:

1. Publishing a statement notify such employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specify the actions that will be taken against employees for violations of each prohibition;
2. Establishing an ongoing drug-free awareness program to inform such employees about:
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
3. Providing all employees engaged in performance of the grant with a copy of the statement required by subparagraph 1 of this clause;
4. Notifying such employees in writing in the statement required by subparagraph 1 of this clause that as a condition of continued employment on this grant, the employee will:
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer, in writing, of the employee's conviction for a criminal drug statute for a violation occurring in the workplace not later than five (5) calendar days after such conviction.
5. Notifying the Contracting Officer, in writing, within ten (10) calendar days after receiving notice under subdivision 4(b) of this clause, from an employee or otherwise receiving actual notice of such conviction. The notice shall include the position title of the employee;

6. Within thirty (30) calendar days after receiving notice under subdivision 4(b) of this clause of a conviction, take one of the following actions with respect to any employee who is convicted of a drug abuse violation occurring in the workplace:
 - (a) Taking appropriate personnel action against such employee up to and including termination; or
 - (b) Require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement or other appropriate agency.
7. Making a good faith effort to maintain a drug-free workplace through implementation of subparagraphs 1 through 6 of this clause.

The grantee, if an individual, agrees by award of the grant or acceptance of a purchase order, to not engage in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in the performance of this grant.

In addition to other remedies available to the Government, the grantee's failure to comply with these requirements may, pursuant to FAR 23.506, render the grantee subject to suspension of grant payments, termination of the grant for default, and suspension or debarment.

Anti-Lobbying - The District of Columbia Government hereby certifies that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, loan, loan or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions; and
3. It will require that Anti-Lobbying language be included in the award documents for all standards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly; the jurisdiction is in compliance with restrictions on lobbying required by 24 CFR Part 87, together *with* disclosure forms, if required by that part.

Authority of Jurisdiction - The District of Columbia Government hereby certifies that the Consolidated Plan for the 2001-2005 period is authorized under local law and the District of Columbia Government possesses the legal authority to carry out the programs for which it is seeking funding in accordance with applicable HUD regulations.

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Its governing body has duly adopted or passed as an official act, a resolution, motion or similar action authorizing the person identified as the official representative of the grantee to submit the Consolidated Plan and all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the grantee to act in connection with the submission of the Consolidated Plan and to provide such additional information as may be required.

Prior to submission of its Consolidated Plan to HUD, the grantee has:

1. Met the citizen participation requirements of Section 570.301(b);
2. Prepared its Consolidated Plan of housing and community development objectives and projected use of funds in accordance with Section 570.301 and made it available to the public.

Consistency with the Plan - The District of Columbia Government hereby certifies that the housing activities to be undertaken with CDBG, HOME, ESG and HOPWA funds are consistent with the strategic plan.

Acquisition and Relocation - The District of Columbia Government hereby certifies that it will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, implementing regulations at 49 CFR Part 24.

Section 3 - The District of Columbia Government certifies that it will comply with Section 3 of the Housing and Urban Development Act of 1968 and implementing regulations at 24 CFR Part 135.

By:  Date: July 8, 2002
Stanley Jackson, Director
Department of Housing and Community
Development

Community Development Block Grant Program Certifications

In accordance with the applicable statutes and regulations governing the Housing and Community Development Plan regulations, the District of Columbia Government hereby makes the following certifications:

Citizen Participation

The District of Columbia Government hereby certifies it is following a detailed citizen participation plan which:

1. Provides for and encourages citizen participation, with particular emphasis on participation by persons of low- and moderate-income who are residents of slum and blighted areas and of areas in which funds are proposed to be used, and provides for participation of residents in low- and moderate-income neighborhoods as defined by the local jurisdictions;
2. Provides citizens with reasonable and timely access to local meetings, information and records relating to the grantee's proposed use of funds, as required by the regulations of the Secretary, and relating to the actual use of funds under the Act;
3. Provides for technical assistance to groups representative of persons of low- and moderate-income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee;
4. Provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performance, which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped;
5. Provides for a timely written answer to written complaints and grievances, with 15 working days where practicable; and
6. Identifies how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

Community Development Plan - The District of Columbia Government hereby certifies that this consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the statute authorizing the CDBG Program, as described in 24 CFR 570.2.

Current Plan - The District of Columbia Government hereby certifies that it is following a current Consolidated Plan that was approved by HUD in September, 1995.

Fund Usage - The District of Columbia Government hereby certifies that it has complied with the following criteria:

1. With respect to activities expected to be assisted with CDBG funds, the Action Plan has been developed so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight.
2. The aggregate use of CDBG funds, including section 108 guaranteed loans, during a period of three specific consecutive program years, shall principally benefit low- and moderate-income families in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons; and
3. The District of Columbia Government will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvement. However, if CDBG funds are used to pay the proportion of a fee or assessment attributable to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. In addition, with respect to properties owned and occupied by moderate-income (but not low-income) families, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBC funds to cover the assessment.

Excessive Force - The District of Columbia Government has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy enforcing applicable State and local laws against physically barring entrance to, or exit from, a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.

Compliance with Anti-Discrimination Laws - The District of Columbia Government hereby certifies that the grant will be conducted and administered in conformity with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d, et seq.), the Fair Housing Act (42 U.S.C. 3601 - 3619), and implementing regulations.

Compliance with Lead-Based Paint Procedures - The District of Columbia Government hereby certifies that its notification, inspection, testing, and abatement procedures concerning lead-based paint will comply with the requirements of 24 CFR 570.608.

Compliance with Laws - The District of Columbia Government hereby certifies that it will comply with applicable laws.

By: 
Stanley Jackson, Director
Department of Housing and Community
Development

Date: July 8, 2002

HOME Program Certifications

In accordance with applicable statutes and regulations governing the Housing and Community Development Plan regulations, the District of Columbia Government hereby certifies that:

1. It is using and will use HOME funds for eligible activities and costs as described in 24 CFR 92.205 through 92.209, and not for activities and costs prohibited under 24 CFR 92.214; and
2. Prior to committing funds to a project, it will evaluate the project in accordance with guidelines it has adopted and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing.

By: 

Stanley Jackson, Director
Department of Housing and Community
Development

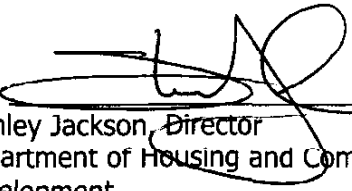
Date: July 8, 2002

Emergency Shelter Grant (ESG) Program Certifications

In accordance with the applicable statutes and regulations governing the Housing and Community Development Plan regulations, the District of Columbia Government hereby certifies that:

1. In the case of assistance involving major rehabilitation or conversion, the applicant will maintain any building for which assistance is used under the ESG program as a shelter for homeless individuals and families for not less than a 10-year period;
2. In the case of assistance involving rehabilitation less than that covered under the preceding paragraph, the applicant will maintain any building for which assistance is used under the ESG program as a shelter for homeless individuals and families for not less than a three-year period;
3. In the case of assistance involving essential services (including but not limited to employment, health, drug abuse, or education) or maintenance, operation, insurance, utilities and furnishings, the applicant will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure as long as the same general population is served;
4. Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary;
5. It will assist homeless individuals in obtaining appropriate supportive services, including permanent housing, medical and mental health treatment, counseling, supervision, and other services essential for achieving independent living, and other Federal, State, and local, and private assistance available for such individuals;
6. It will obtain matching amounts required under Section 576.71 of this title;
7. It will develop and implement procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project except with the written authorization of the person responsible for the operation of that shelter;
8. To the maximum extent practicable, it will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under this program, in providing services assisted under the program, and in providing services for occupants of facilities assisted under the program; and


9. It is following a current HUD-approved Consolidated Plan.

By:  Date: July 8, 2002
Stanley Jackson, Director
Department of Housing and Community
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Housing Opportunities for Persons with AIDS (HOPWA) Program Certification

In accordance with the applicable statutes and regulations governing the Housing and community Plan regulations, the District of Columbia Government hereby certifies that:

1. Activities funded under the program will meet urgent needs that are not being met by available public and private sources; and
2. Any building or structure assisted under that program shall be operated for the purpose specified in the plan:
 - a) period of not less than 10 years in the case of assistance involving new construction, substantial rehabilitation, or acquisition of a facility; or
 - b) For a period *of* not less than three years *in* the case of assistance involving non-substantial rehabilitation or repair of a building or structure.

By:  Date: July 8, 2002
Stanley Jackson, Director
Department of Housing and Community
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